

PROGRAM NARRATIVE**406 Department of Labor and Human Rights****Date:** 12/23/2014**Time:** 12:50:53**Program:** Office of Labor Commissioner**Reporting level:** 00-406-100-00-00-00-00000000**Program Performance Measures**

The department is dedicated to the principles of efficient and effective public service. The department tracks the impact of the strategic changes primarily by monitoring the pending agency caseloads. The department's current caseload has increased significantly. The number of pending cases has increased in all areas except Housing Discrimination. The average days to closure has increased in all areas, with the exception of Public Service/Public Accommodation, and is expected to continue to increase.

Caseload Information as of June 30, 2012:

Pending Employment Discrimination Complaints = 155

Pending Claims for Unpaid wages = 237

Pending Claims for Housing Discrimination Complaints = 13

Pending Public Service/Public Accommodation & Credit Transaction Complaints = 20

The ongoing objective is for cases in all areas to be current in accordance with the following targets for case closures: 1) complaints of discrimination in employment, public services, public accommodations, and credit transactions to be completed within 180 days; 2) claims for unpaid wages to be completed within 90 days; and 3) complaints in housing discrimination to be completed within 100 days.

Program Statistical Data

The program statistical data here are for the 2011-13 biennium unless otherwise noted.

Wage and HourWage Claims

Claims Received: 1266

Claims Closed: 1100

Average Days to Closure: 76

Total Dollar Amount Collected: \$1,015,905

Complaint Inquiries

Complaint Inquiries Received: 410

Complaint Inquiries Closed: 407

Total Dollar Amount Collected: \$75,610

Youth Employment

Total Employment and Age Certificates (work permits) Filed: 2,383

PROGRAM NARRATIVE**406 Department of Labor and Human Rights****Date:** 12/23/2014**Time:** 12:50:53**Program:** Office of Labor Commissioner**Reporting level:** 00-406-100-00-00-00-00-00000000Independent Contractor Verification

Total Applications Reviewed: 31

Total Relationships Verified: 22

Employment Agency Licensing

Agencies Licensed: 0

Sub-Minimum Wage Licenses

Disabled Employees Working Under Sub-Minimum Wage Licenses: 1,825

Vocational Students Working Under Sub-Minimum Wage Licenses: 2

Human RightsEqual Employment Opportunity

New Charges Received: 386

Total Charges Closed: 306

Average Days to Closure: 139

Total Settlement Amount: \$737,037

Housing Discrimination

Complaints Filed: 78

Complaints Closed: 81

Average Days to Closure: 132

Total Settlement Amount: \$3,971

Discrimination in Public Services, Public Accommodations, and Credit Transactions

Complaints Filed: 34

Complaints Closed: 33

Average Days to Closure: 172

Employment Retaliation

Complaints Filed: 81

Complaints Closed: 78

PROGRAM NARRATIVE**406 Department of Labor and Human Rights****Date:** 12/23/2014**Time:** 12:50:53**Program:** Office of Labor Commissioner**Reporting level:** 00-406-100-00-00-00-00000000**Explanation of Program Costs**

During the 2013-15 biennium, 86% of the Department of Labor and Human Rights' regular program expenditures are being utilized for staff salaries and benefits. The remaining 14% is being spent on operating expenditures for day-to-day operation of the office (including postage, printing, office supplies, telephone and data processing costs), professional services such as administrative law judges, operating fees for sheriffs' service, travel as necessary for program work (investigations and mediation) and staff training, and proactive educational activities - all of which directly support of the department's programs.

For the 2015-17 biennium, the department projects that 86% of its budget will be spent on salaries and benefits and that 14% will be utilized on operating expenses, primarily in the areas noted above. These percentages are based on the department's base budget request.

Program Goals and Objectives

The Department of Labor and Human Rights has two program areas, Wage & Hour and Human Rights. The goals and objectives of each include:

Wage & Hour

Educate employers and wage earners about labor laws;

Provide effective and timely investigation of claims for unpaid wages;

Provide effective and timely investigation of complaints alleging violations of labor standards;

Monitor the employment of youth under age 16 to ensure compliance with all youth employment laws;

Review applications for the payment of sub-minimum wages to persons enrolled in vocational programs and persons with disabilities and to issue special licenses to pay sub-minimum wage only where established standards of law are met;

Make accurate and timely determinations of independent contractor status; and

Issue licenses (in limited circumstances) to and review the activities of employment agencies operating in the state to ensure compliance with applicable regulatory provisions.

Human Rights

Educate employers, housing and other service providers, and citizens about rights and responsibilities under ND human rights laws to promote awareness;

Provide effective and timely investigation of complaints alleging discriminatory practices in the state;

Emphasize conciliation to resolve complaints when possible;

Seek remedies for persons determined to have been harmed by discriminatory practices; and

Conduct studies of the nature and extent of discrimination in the state.

REQUEST DETAIL BY PROGRAM

406 Department of Labor and Human Rights

Bill#: SB2007

Date: 12/23/2014

Time: 12:50:53

Biennium: 2015-2017

Program: Office of Labor Commissioner		Reporting Level: 00-406-100-00-00-00-00000000			
Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Request 2015-2017
Salaries and Wages					
Salaries - Permanent	1,159,279	1,325,366	80,770	1,406,136	566,400
Overtime	4,280	10,003	(10,003)	0	46,000
Fringe Benefits	464,739	586,679	4,822	591,501	232,763
Total	1,628,298	1,922,048	75,589	1,997,637	845,163
Salaries and Wages					
General Fund	1,269,872	1,578,493	75,683	1,654,176	845,163
Federal Funds	358,426	343,555	(94)	343,461	0
Special Funds	0	0	0	0	0
Total	1,628,298	1,922,048	75,589	1,997,637	845,163
Accrued Leave					
Salaries - Permanent	0	39,609	(39,609)	0	0
Total	0	39,609	(39,609)	0	0
Accrued Leave					
General Fund	0	39,609	(39,609)	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	39,609	(39,609)	0	0
Operating Expenses					
Travel	50,127	59,600	0	59,600	23,000
Supplies - IT Software	1,153	1,200	0	1,200	1,500
Supply/Material-Professional	13,637	14,501	0	14,501	1,000
Miscellaneous Supplies	4,559	4,000	0	4,000	0
Office Supplies	13,375	15,000	0	15,000	10,000
Postage	19,072	22,000	0	22,000	7,500
Printing	4,698	7,500	0	7,500	3,000
IT Equip Under \$5,000	14,803	10,000	0	10,000	7,000
Office Equip & Furn Supplies	2,006	7,500	0	7,500	10,000
Insurance	2,382	2,500	0	2,500	0
Rentals/Leases - Bldg/Land	7,808	8,500	0	8,500	5,000
Repairs	2,005	3,500	0	3,500	0
IT - Data Processing	24,656	30,000	0	30,000	54,360
IT - Communications	24,456	30,000	0	30,000	7,000
IT Contractual Svcs and Rprs	11,432	12,000	0	12,000	27,523
Professional Development	8,621	10,000	0	10,000	1,000

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Request 2015-2017
Operating Fees and Services	144,013	18,000	0	18,000	1,000
Fees - Professional Services	57,269	67,893	0	67,893	5,000
Total	406,072	323,694	0	323,694	163,883
Operating Expenses					
General Fund	200,743	229,323	0	229,323	163,883
Federal Funds	205,329	94,371	0	94,371	0
Special Funds	0	0	0	0	0
Total	406,072	323,694	0	323,694	163,883
Capital Assets					
Land and Buildings	0	0	0	0	25,000
Total	0	0	0	0	25,000
Capital Assets					
General Fund	0	0	0	0	25,000
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	0	0	0	25,000
Technology Carryover					
IT Contractual Srvcs and Rprs	10,000	0	0	0	0
Total	10,000	0	0	0	0
Technology Carryover					
General Fund	10,000	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	10,000	0	0	0	0
Total Expenditures	2,044,370	2,285,351	35,980	2,321,331	1,034,046
Funding Sources					
General Fund					
Total	1,480,615	1,847,425	36,074	1,883,499	1,034,046
Federal Funds					

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406 Department of Labor and Human Rights

Biennium: 2015-2017

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Description	Expenditures 2011-2013 Biennium	Present Budget 2013-2015	Budget Request Change	Requested Budget 2015-2017 Biennium	Optional Request 2015-2017
R018 Equal Employ Opp. Comm.	179,600	173,777	(47,945)	125,832	0
R081 Fair Housing	384,155	264,149	47,851	312,000	0
Total	563,755	437,926	(94)	437,832	0
Total Funding Sources	2,044,370	2,285,351	35,980	2,321,331	1,034,046
FTE Employees	12.00	13.00	0.00	13.00	5.00

CHANGE PACKAGE DETAIL

406 Department of Labor and Human Rights

Biennium: 2015-2017

Bill#: SB2007

Date: 12/23/2014

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Program: Office of Labor Commissioner			Reporting Level: 00-406-100-00-00-00-00000000			
Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds

Base Budget Changes**Ongoing Budget Changes**

Base Payroll Change		0.00	36,074	(94)	0	35,980
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Total Ongoing Budget Changes		0.00	36,074	(94)	0	35,980
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Total Base Budget Changes		0.00	36,074	(94)	0	35,980
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Optional Budget Changes**One Time Optional Changes**

A-D 1 Overtime and Retirement	1	0.00	46,000	0	0	46,000
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Total One Time Optional Changes		0.00	46,000	0	0	46,000
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Ongoing Optional Changes

A-C 1 Additional FTEs	1	5.00	941,928	0	0	941,928
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A-C 2 ITD Desktop Support	2	0.00	46,118	0	0	46,118
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Total Ongoing Optional Changes		5.00	988,046	0	0	988,046
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Total Optional Budget Changes		5.00	1,034,046	0	0	1,034,046
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